

Message Text

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TO SECSTATE WASHDC IMMEDIATE 8446
INFO AMCONSUL CALGARY
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AMCONSUL MONTREAL
AMCONSUL QUEBEC
AMCONSUL TORONTO
AMCONSUL VANCOUVER
AMCONSUL WINNIPEG

UNCLAS OTTAWA 04155

E.O. 11652 N/A
TAGS: CASC, CA
SUBJECT: IMPLEMENTATION OF TRANSFER OF SANCTIONS TREATY

1. CANADIAN PENITENTIARY SERVICE INFORM THAT THEY AND U.S. DOJ HAVE AGREED UPON OCTOBER 11 AS DATE FOR FIRST TRANSFER OF PRISONERS BETWEEN CANADA AND U.S. CANADIAN AUTHORITIES HAVE RECEIVED TWENTY FOUR APPLICATIONS FROM U.S. PRISONERS AND KNOW THAT EIGHTEEN MORE ARE IN MAIL. ESTIMATES NOW ARE THAT ABOUT SIXTY PRISONERS WILL APPLY FOR TRANSFER IN FIRST GROUP. FIRM FIGURE SHOULD BE AVAILABLE SHORTLY AFTER SEPTEMBER 1.

2. IN LIGHT OF TELEPHONE DISCUSSIONS AUGUST 21 AND 22, WITH FEDERAL DEFENDERS AND JIM MACKLIN, ADMINISTRATIVE OFFICER OF U.S. COURTS, EMBASSY IS ATTEMPTING TO OBTAIN CONFIRMATION FROM CANADIAN AUTHORITIES THAT THOSE PRISONERS IN VANCOUVER, KINGSTON AND MONTREAL AREAS WHO COMPLETED REQUESTS FOR COUNSEL ARE ACTUALLY ELIGIBLE FOR TRANSFER
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UNDER TREATY. WE UNDERSTAND THAT DEFENDERS WILL VISIT THESE AREAS AS PLANNED ONCE ELIGIBILITY IS CONFIRMED BY BOTH CANADA AND U.S.

3. WE HAVE SOME CONCERN ABOUT COUNSEL TO OTHER PRISONERS LOCATED IN OUTLYING AREAS. IT WAS OUR UNDERSTANDING FROM MIKE ABBELL THAT COUNSELLING WOULD BE PROVIDED TO THEM IN

KINGSTON IMMEDIATELY BEFORE VERIFICATION HEARINGS. WE UNDER-
STAND FROM DEFENDERS NOW THAT THEY MAY WELL NEED MORE THAN A
FEW DAYS TO PROVIDE PROPER COUNSEL. BECAUSE OF SPACE LIMIT-
ATIONS IN KINGSTON, CANADIAN AUTHORITIES ARE PLANNING TO
CONCENTRATE TRANSFEREES THERE ONLY ONE WEEK BEFORE ACTUAL
TRANSFER DATE. IF THIS WEEK DOES NOT PROVIDE ADEQUATE TIME
FOR COUNSEL, THEN OBVIOUSLY ADDITIONAL ARRANGEMENTS MUST
BE MADE FOR DEFENDERS TO TRAVEL TO OUTLYING INSTITUTIONS
IN ADVANCE OF CONCENTRATION. WE HAVE MADE CANADIAN AUTHORI-
TIES AWARE OF THIS INCIPIENT PROBLEM AND THEY ARE CONSIDER-
ING WHETHER THERE IS ANY WAY TO PROVIDE MORE TIME IN
KINGSTON. IN CASE THIS PROVES IMPOSSIBLE, REQUEST DEPARTMENT
DISCUSS ISSUE WITH MACKLIN, ABBELL AND MEKO. WE WOULD
ESPECIALLY LIKE TO KNOW MINIMUM TIME DEFENDERS FEEL IS
NEEDED TO PROVIDE ADEQUATE COUNSEL, AND ANY CONSIDERATIONS
(E.G. AVAILABILITY OF TRAVEL FUNDS) AFFECTING THEIR ABILITY
TO VISIT MORE REMOTE INSTITUTIONS. THERE IS SOME URGENCY
INVOLVED SINCE IT APPEARS POSSIBLE THAT TIME NEEDED FOR
TRAVEL AND COUNSEL BY DEFENDERS COULD RESULT IN DELAYS
BEYOND OCTOBER 11 DATE UNLESS DECISIONS ARE MADE QUICKLY.
PLACKE

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